

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

STEVEN M. MONACELLI,

§

Plaintiff,

§

v.

§

**CITY OF DALLAS and OFFICERS
JOHN DOE 1-4, individually and in
his official capacity as a Dallas Police
Department Police Officer,**

§

Defendants.

§

Civil Action No. 3:21-cv-2649

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO
DEFENDANT CITY OF DALLAS'S MOTION TO DISMISS**

Plaintiff, by and through his counsel, Michael W. Shapiro of the SMU Dedman School of Law's First Amendment Clinic and David Henderson of Ellwanger Law, LLLP, hereby file this unopposed motion to extend the time by two weeks to respond to the City of Dallas's Motion to Dismiss. Dkt. No. 8. The City's motion was filed on November 19, 2021, and, at present, Plaintiff's deadline to respond is December 10, 2021, pursuant to Rule 7.1(e). This motion seeks to extend that deadline to December 24, 2021.

As grounds for this motion, Plaintiff states the following:

1. SMU Dedman School of Law has begun its finals reading period and the Clinic will be at limited capacity until exams are finished on December 10, 2021.
2. No prejudice will occur to either party as a result of this short delay.
3. Pursuant to Local Rule 7.1(a), Plaintiff's counsel conferred via email with counsel for Defendant the City of Dallas, regarding its position on this motion. Defendant consented to the extension.

Based on the foregoing, Plaintiff respectfully requests that his unopposed motion for a two-week extension of time to December 24, 2021, within which to respond to Defendant's Motion to Dismiss.

DATED: November 23, 2021.

Respectfully submitted,

By: /S/ Michael W. Shapiro
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Counsel for Steven M. Monacelli

CERTIFICATE OF CONFERENCE

I hereby certify, pursuant to Local Rule 7.1(b), that the undersigned counsel consulted with counsel for the Defendant, Lindsay Gowin, who represented that Defendant consents to the requested two-week time extension.

/S/ Michael W. Shapiro
Michael W. Shapiro

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2021, a true and correct copy of the foregoing Unopposed Motion for Extension of Time to Respond to Defendant the City of Dallas's Motion to Dismiss was filed electronically via the Court's CM/ECF system, which effects service upon counsel of record.

/S/ Michael W. Shapiro
Michael W. Shapiro

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[PROPOSED] ORDER

The Court, having reviewed Plaintiff's Unopposed Motion for Extension of Time to respond to Defendant City of Dallas's Motion to Dismiss, hereby ORDERS:

1. Plaintiff's Unopposed Motion for Extension of Time to respond to Defendant City of Dallas's Motion to Dismiss is GRANTED;
2. Plaintiff's Response and Brief shall be filed on or before December 24, 2021.

IT IS SO ORDERED.

Date: _____

The Honorable Judge Sam A. Lindsay